

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 21, 2023

SEAN F. McAVOY, CLERK

1 Vanessa R. Waldref
2 United States Attorney
3 Eastern District of Washington
4 Richard R. Barker
5 Assistant United States Attorney
6 Post Office Box 1494
7 Spokane, WA 99210-1494
8 Telephone: (509) 353-2767
9
10
11

12 UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF WASHINGTON
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES OF AMERICA,

Plaintiff,

v.

XANDER LEE OSTENBERG,

Defendant.

2:23-CR-31-TOR

INDICTMENT

18 U.S.C. §§ 113(a)(3), 1153
Assault with a Dangerous Weapon in
Indian Country
(Count 1)

18 U.S.C. § 924(c)(1)(A)(ii)
Brandishing a Firearm During and in
Relation to a Crime of Violence
(Count 2)

18 U.S.C. §§ 113(a)(6), 1153
Assault Resulting in Serious Bodily
Injury in Indian Country
(Counts 3-4)

18 U.S.C. §§ 1201, 1153
Kidnapping in Indian Country
(Count 5)

18 U.S.C. §§ 113(a)(7), 1153
Assault Resulting in Substantial
Bodily Injury to a Spouse, Intimate
Partner, or Dating Partner in Indian
Country
(Count 6)

18 U.S.C. § 924(d)(1),
28 U.S.C. § 2461
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

On or about January 19, 2023, in the Eastern District of Washington, within the external boundaries of the Colville Indian Reservation, in Indian country, the Defendant, XANDER LEE OSTENBERG, an Indian, did intentionally assault F.L.C. with a dangerous weapon, to wit: a gun, with intent to do bodily harm, all in violation of 18 U.S.C. §§ 113(a)(3), 1153.

COUNT 2

On or about January 19, 2023, in the Eastern District of Washington, the Defendant, XANDER LEE OSTENBERG, did knowingly use, carry, possess, and brandish a firearm during and in relation to a crime of violence for which the Defendant may be prosecuted in a court of the United States, to wit: Assault with a Dangerous Weapon, as charged in Count 1 of this Indictment, in violation of 18 U.S.C. § 924(c)(1)(A)(ii).

COUNT 3

On or about February 5, 2023, in the Eastern District of Washington, within the external boundaries of the Kalispel Indian Reservation, in Indian country, the Defendant, XANDER LEE OSTENBERG, an Indian, did intentionally assault R.L.P., resulting in serious bodily injury to R.L.P., all in violation of 18 U.S.C. §§ 113(a)(6), 1153.

COUNT 4

On or about February 5, 2023, in the Eastern District of Washington, within the external boundaries of the Kalispel Indian Reservation, in Indian country, the Defendant, XANDER LEE OSTENBERG, an Indian, did intentionally assault L.E.C., resulting in serious bodily injury to L.E.C., all in violation of 18 U.S.C. §§ 113(a)(6), 1153.

COUNT 5

On or about February 5, 2023, in the Eastern District of Washington, within the external boundaries of the Kalispel Indian Reservation, in Indian country, the Defendant, XANDER LEE OSTENBERG, an Indian, did unlawfully kidnap, abduct, confine, seize, carry away, and hold for ransom or reward or otherwise T.R.P., all in violation of 18 U.S.C. §§ 1201(a), 1153.

COUNT 6

On or about February 5, 2023, in the Eastern District of Washington, within the external boundaries of the Kalispel Reservation, in Indian country, the Defendant, XANDER LEE OSTENBERG, an Indian, did knowingly assault T.R.P., a spouse, intimate partner, or dating partner, resulting in substantial bodily injury to T.R.P., all in violation of 18 U.S.C. §§ 113(a)(7), 1153.

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

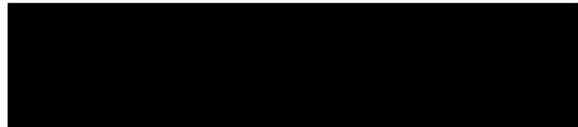
The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction of an offense in violation of 18 U.S.C. § 924(c)(1)(A)(ii), as set forth in Count 2 in this Indictment, the Defendant, XANDER LEE OSTENBERG, shall forfeit to the

1 United States of America any firearm or ammunition involved or used in the
2 commission of the offense.

3 DATED this 21 day of March, 2023.

5 A TRUE BILL



10 Vanessa Waldref
11 Vanessa R. Waldref
12 United States Attorney

13 Richard R. Barker
14 Richard R. Barker
15 Assistant United States Attorney